

DRAFT

MINUTES OF THE CITY COUNCIL
OF THE
CITY OF GREENSBORO, N. C.

REGULAR MEETING:

1 JUNE 1999

The City Council of the City of Greensboro met in regular session at 6:00 p.m. on the above date in the Council Chamber of the Melvin Municipal Office building with the following members present: Mayor Carolyn S. Allen, presiding; Councilmembers Claudette Burroughs-White, Sandra G. Carmany, Keith A. Holliday, Yvonne J. Johnson, Earl F. Jones, Nancy Mincello, Robert V. Perkins and Donald R. Vaughan. Absent: None. Also present were J. Edward Kitchen, City Manager; Linda A. Miles, City Attorney; and Juanita F. Cooper, City Clerk.

The meeting was opened with a moment of silence and the Pledge of Allegiance to the Flag.

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The Manager recognized Mary Beth Kerns, employee in the Planning Department, who served as courier for the meeting.

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The Mayor explained the Council procedure for conduct of the meeting.

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Mayor Allen recognized Boy Scout Troop 302 and the leaders, Bob Hisamoto and Camie Brown, sponsored by the Hinshaw United Methodist Church; she noted these Scouts were attending the meeting to fulfill citizenship requirements.

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Councilmember Perkins introduced and read into the minutes the resolution honoring the memory of the late James Manley Batten. He advised that Mr. Batten's wife and daughter were present in the Chamber for this recognition.

Councilmember Vaughan moved adoption of the resolution. The motion was seconded by Councilmember Holliday; the resolution was adopted on the following roll call vote: Ayes: Allen, Burroughs-White, Carmany, Holliday, Johnson, Jones, (Mincello) Vaughan, Perkins and Vaughan. Noes: None.

94-99 RESOLUTION HONORING THE MEMORY OF THE LATE JAMES MANLEY "JIM"
BATTEN

WHEREAS, On May 19, 1999, this community lost one of its most outstanding community leaders with the death of James Manley Batten at the age of 57;

WHEREAS, prior to holding the position of general manager at Stamey's Restaurant, Mr. Batten formerly served as the president of Springfield Construction Company and VP of Marketing with Carlyle & Co.;

WHEREAS, Mr. Batten was active in this community for over 30 years serving as president of the American Lung Association, chairman of Good Will Industries, president and long time coach of Greensboro Youth Soccer Association, chairman of the Wrangler McDonald's Youth Soccer Classic and in 1989 was appointed by City Council to the Greensboro Parks and Recreation Commission where he was chairman from 1992 through 1994;

WHEREAS, among his many accomplishments, he was instrumental in the creation and ongoing development of the Bryan Park Soccer Complex and on May 23rd, 1999, was honored by the dedication of the Jim Batten Training Complex at Bryan Park;

WHEREAS, Mr. Batten was a member of Centenary United Methodist Church where he served as chairman of the Board, Finance Committee and Education Committee as well as being a Lay Leader and member in the North Carolina Presbyterian Pilgrimage;

WHEREAS, while James Manley Batten will be sadly missed, Greensboro citizens will be abundantly enriched by the legacy he leaves us.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

1. That the City Council hereby expresses, on behalf of the citizens of Greensboro, a deep sense of loss and a feeling of respect and gratitude for the life of James Manley Batten.
2. That a copy of this resolution shall be delivered to the family of the Late Mr. Batten as a symbol of the gratitude of the people of Greensboro for his many contributions to this community.

(Signed) Donald R. Vaughan

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Mayor Allen stated that this was the time and place set for a public hearing to annex to the corporate limits 9.519 acres of property located west of the intersection of Bass Chapel Road and Lake Jeanette Road. She thereupon introduced, so that these matters could be discussed together, an ordinance establishing original zoning classification from County Zoning Agricultural and RS-40 Residential Single Family to City Zoning Conditional Use—RM-8 Residential Multifamily with specific conditions for property located at the northwest intersection of Bass Chapel Road and Lake Jeanette Road. The Mayor administered the oath to those individuals wishing to speak to the annexation and rezoning.

C. Thomas Martin, Planning Department Director, provided the following staff presentation for the rezoning request:

REQUEST

This request is to establish original zoning of property from County Zoning Agricultural and RS-40 Residential Single Family to City Zoning Conditional Use - RM-8 Residential Multifamily.

The Agricultural District is primarily intended to accommodate uses of an agricultural nature including farm residences and scattered nonfarm residences on large tracts of land.

The RS-40 District is primarily intended to accommodate single family detached dwellings on large lots at a density of 1.0 unit per acre or less.

The RM-8 District is primarily intended to accommodate duplexes, townhouses, cluster housing and similar residential uses at a density of 8.0 units per acre or less.

CONDITIONAL USE CONDITIONS FOR THE REQUESTED ZONING DISTRICT

- 1) A maximum of 63 residential units designed for sale, no more than 60 of which shall be condominiums.
- 2) A maximum of one curb cut on Lake Jeanette Road and a maximum of one curb cut on Bass Chapel Road.
- 3) A decorative brick fence shall be constructed along all street frontages, with a maximum height of four (4) feet, except for columns.
- 4) The sides of all buildings fronting on streets shall be primarily of brick construction.
- 5) A trail will be constructed to connect this property with the adjacent property to the west.

DESCRIPTION OF THE PROPERTY, SURROUNDING LAND USE AND ZONING

This property consists of approximately 9.5 acres and is located at the northwest intersection of Lake Jeanette Road and Bass Chapel Road.

	<u>Zoning</u>	<u>Land Use</u>
Subject Property	AG, RS-40	Vacant
North	CU-PDM	Portion of Section F of Lake Jeanette PUD
East	CU-PDM	The Point, Section E & Waterford Place, Section D of Lake Jeanette PUD
South	AG	Single family dwelling
West	RS-12(CL)	The Grande at Lake Jeanette

Mr. Martin stated that the Planning Department and Zoning Commission recommended approval of the requests. He thereupon provided slides of the following areas: looking southeast along Bass Chapel Road toward the intersection with Lake Jeanette Road - property requested for CU-RM-8 is to the right, looking north along Bass Chapel Road across the frontage of the property, intersection of Lake Jeanette Road and Bass Chapel Road and the entrance to The Point which is zoned CU-PDM, apartment buildings in Waterford Place along the south side of North Elm - also zoned CU-PDM, looking roughly north from Lake Jeanette Road into the interior of the property, looking northeast along Lake Jeanette Road toward the intersection with Bass Chapel Road - property is to the left, and dwelling which is south of and adjacent to the request and zoned Agricultural.

Mayor Allen asked if anyone wished to be heard.

Charlie Melvin, 300 North Greene Street, representing Kavanagh & Associates, spoke in favor of the annexation and rezoning, detailed the unusual characteristics of the property and reviewed the history of the rezoning requests. He spoke to the condition of the property with respect to the closed landfill site and described the proposed development of the remaining property which was suitable for residential development. Mr. Melvin used maps to illustrate ongoing development in the area.

Dominick Dejoy, residing at 1501 Regents Park Lane, spoke in favor of the annexation and rezoning. He spoke to the communication that had taken place between the developers and neighborhood representatives to address the residents' concerns and discuss options for development in the area; he stated that, in his opinion, the agreed upon compromise Council was being asked to consider was the best option available.

Mr. Martin provided the following staff recommendation:

The Planning Department recommends that this request be approved. This property was proposed for original zoning to CU-LO and received a favorable recommendation from the Zoning Commission in December 1997. Staff recommended in favor of that proposal but the request was subsequently withdrawn by the City Council in March 1998. As part of the previous staff recommendation, it was pointed out that this property would be a good location for multifamily development as well. Staff feels that this current request is compatible with the surrounding planned unit development and adjacent single family cluster development in terms of encouraging a mix of compatible residential land uses. It is also compatible with the surrounding residential development in terms of the conditions which deal with brick construction and provision for the decorative brick fence. Furthermore, conditions have limited the curb cuts on Lake Jeanette Road and Bass Chapel Road to one each which is beneficial from a traffic safety and circulation standpoint. Staff feels that this request offers a good solution for a tract that has been controversial in the past in terms of potential development.

After brief discussion, Council commended the developers and area residents for their efforts to reach a compromise regarding development for the area.

Councilmember Johnson moved adoption of the ordinance annexing to the corporate limits 9.519 acres of property located west of the intersection of Bass Chapel Road and Lake Jeanette Road. The motion was seconded by Councilmember Carmany; the ordinance was adopted on the following roll call vote: Ayes: Allen, Carmany, Burroughs-White, Holliday, Johnson, Jones, (Mincello) Vaughan, Perkins and Vaughan. Noes: None.

99-80 AN ORDINANCE ANNEXING TERRITORY TO THE CORPORATE LIMITS (LOCATED WEST OF THE INTERSECTION OF BASS CHAPEL ROAD AND LAKE JEANETTE ROAD – 9.519 ACRES)

Section 1. Pursuant to G.S. 160A-31, the hereinafter described territory is hereby annexed to City of Greensboro:

BEGINNING at an iron pipe in the northern 60 foot right-of-way for Lake Jeanette Road S.R. Number 2352, (iron pipe also being an eastern corner to Gerald Lawrence Owen as recorded in Deed Book 4487, Page 1920 in the Guilford County Register of Deeds), thence with Gerald Lawrence Owen North 40 degrees 28 minutes 17 seconds West distance being 173.50 feet to an iron pipe; thence, still with Gerald Lawrence Owen, South 49 degrees 31 minutes 43 seconds west, distance being 181.26 feet to an iron pipe in an eastern line of the McNairy Family farms, incorporated as recorded in Deed Book 4270, Pages 1852, 1856, 1861 and Deed Book 4272, Page 1308; thence, with the eastern line of the McNairy Farm, North 01 degrees 05 minutes 34 seconds East, distance being 770.43 feet to an iron pipe in the southern line of Kavanagh Associates as recorded in Deed Book 4720, Page 1775, thence, with the southern line of Kavanagh Associates, North 89 degrees 44 minutes 56 seconds East, distance being 407.55 feet to an iron pipe in the western 60 foot right-of-way for Bass Chapel Road, S.R. Number 2348; thence, crossing said 60 foot right-of-way, North 89 degrees 44 minutes 56 seconds East distance being 69.64 feet to an iron pipe in the eastern 60 foot right-of-way for Bass Chapel Road; thence, with the eastern 60 foot right-of-way for Bass Chapel Road and also being the Greensboro City Limit line, South 30 degrees 45 minutes 16 seconds

East distance being 532.75 feet to an iron pipe; thence, with the northern 60 foot right-of-way for Lake Jeanette Road being a curve to the left, a chord bearing of South 83 degrees 19 minutes 04 seconds West a chord distance being 65.72 feet and having a radius of 307.73 feet to an iron pipe; thence, still with a curve to the left having a chord bearing of South 64 degrees 09 minutes 56 seconds West, a chord distance being 138.70 feet and having a radius of 307.73 feet to an iron pipe; thence, with the northern 60 foot right-of-way for Lake Jeanette Road, South 51 degrees 08 minutes 28 seconds West, distance being 415.69 feet to the point and place of beginning, containing 9.519 acres.

Section 2. The owner agrees to pay to the City of Greensboro an acreage fee of two hundred dollars (\$200.00) per acre for water service and two hundred dollars (\$200.00) per acre for sewer service immediately prior to the time of annexation. Any utility line assessments which may have been levied by the County shall be collected either by voluntary payment or through foreclosure of same by the City. Following annexation, the property annexed shall receive the same status regarding charges and rates as any other property located inside the corporate limits of the City of Greensboro.

Section 3. The owner shall be fully responsible for extending water and sewer service to the property at said owner's expense.

Section 4. From and after the effective date of annexation, the above described territory and its citizens and property shall be subject to all debts, laws, ordinances and regulations in force within the City and shall be entitled to the same privileges and benefits thereof, subject to the provisions in Sections 2 and 3 above.

Section 5. From and after August 31, 1999, the liability for municipal taxes for the 1999-2000 fiscal year shall be prorated on the basis of 10/12 of the total amount of taxes that would be due for the entire fiscal year. The due date for prorated municipal taxes shall be September 1, 1999. Municipal ad valorem taxes for the 2000-2001 fiscal year and thereafter shall be due annually on the same basis as any other property within the city limits.

Section 6. That this ordinance shall become effective on and after August 31, 1999.

(Signed) Yvonne J. Johnson

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Councilmember Vaughan thereupon moved that the ordinance establishing original zoning classification from County Zoning Agricultural and RS-40 Residential Single Family to City Zoning Conditional Use—RM-8 Residential Multifamily for property located at the northwest intersection of Bass Chapel Road and Lake Jeanette Road be approved based on the following findings of fact:

- 1) The development of the property in accordance with the proposed conditions will not materially endanger the public health or safety because there are no health or safety concerns inherent in the proposed use of the property.
- 2) The development of the property in accordance with the proposed conditions will not substantially injure the value of adjoining or abutting property because surrounding property is zoned for residential land uses.
- 3) The location and character of the development in accordance with the proposed conditions will be in harmony with the area in which it is to be located and in general conformity with the plan of development of the City and its environs because this request is compatible with the surrounding planned unit development and single family cluster development in terms of providing a mix of compatible residential uses.

The motion was seconded by Councilmember Johnson; the ordinance was adopted on the following roll call vote: Ayes: Allen, Burroughs-White, Carmany, Holliday, Johnson, Jones, (Mincello) Vaughan, Perkins and Vaughan. Noes: None.

99-81 AMENDING OFFICIAL ZONING MAP AND AUTHORIZING ISSUANCE OF
CONDITIONAL USE PERMIT

NORTHWEST INTERSECTION OF LAKE JEANETTE ROAD AND BASS CHAPEL ROAD

BE IT ORDAINED BY THE ZONING COMMISSION OF THE CITY OF GREENSBORO:

Section 1. The Official Zoning Map is hereby amended by establishing original zoning from County Zoning Agricultural and RS-40 Residential Single Family to Conditional Use - RM-8 Residential Multifamily (subject to those conditional uses with limitations as set forth in Sections 2, 3 and 4 of this ordinance) the area described as follows:

BEGINNING at a point in the northern right-of-way line of Lake Jeanette Road, said point an eastern corner of Gerald Lawrence Owen as recorded in Deed Book 4487, Page 1920 in the Office of the Guilford County Register of Deeds; thence with the Owen's line N40°28'17"W 173.50 feet to a point; thence continuing with Owen's line S49°31'43"W 181.26 feet to a point in an eastern line of the McNairy Family Farm, Inc. as recorded in Deed Book 4270, Pages 1852, 1856, and 1861 and Deed Book 4272, Page 1308; thence with the eastern line of said McNairy Family Farm N01°05'34"E 770.43 feet to a point in the southern line of Kavanagh Associates as recorded in Deed Book 4720, Page 1775; thence with the southern line of Kavanagh Associates N89°44'56"E 407.55 feet to a point in the western right-of-way line of Bass Chapel Road; thence crossing Bass Chapel Road N89°44'56"E 69.64 feet to a point in the eastern right-of-way line; thence with said eastern right-of-way line S30°45'16"E 532.75 feet to a point; thence with the northern right-of-way line of Lake Jeanette Road along a curve to the left a chord bearing and distance of S83°19'04"W 65.72 feet (radius = 307.73 feet) to a point; thence continuing with a curve to the left a chord bearing and distance of S64°09'56"W 138.70 feet (radius = 307.73 feet) to a point; thence with the northern right-of-way line of Lake Jeanette Road S51°08'28"W 415.69 feet to the point and place of BEGINNING, containing 9.519 acres.

Section 2. That the issuance of a Conditional Use Permit in accordance with the above-mentioned change in zoning classification is hereby authorized subject to the following use limitations and conditions:

- 1) A maximum of 63 residential units designed for sale, no more than 60 of which shall be condominiums.
- 2) A maximum of one curb cut on Lake Jeanette Road and a maximum of one curb cut on Bass Chapel Road.
- 3) A decorative brick fence shall be constructed along all street frontages, with a maximum height of four (4) feet, except for columns.
- 4) The sides of all buildings fronting on streets shall be primarily of brick construction.
- 5) A trail will be constructed to connect this property with the adjacent property to the west.

Section 3. This property will be perpetually bound to the uses authorized and subject to such conditions as imposed, unless subsequently changed or amended as provided for in Chapter 30 of the Greensboro Code of Ordinances. Final plans for any development to be made pursuant to any Conditional Use Permit shall be submitted to the Technical Review Committee for approval.

Section 4. Any violations or failure to accept any conditions and use limitations imposed herein shall be subject to the remedies provided in Chapter 30 of the Greensboro Code of Ordinances.

Section 5. This ordinance shall be effective upon the date of annexation.

(Signed) Donald R. Vaughan

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Councilmember Vaughan stated at the request of the applicant he would move to delete Item #8, Resolution closing Yale/Triangle Street—from Harvard Avenue northward to its end. The motion was seconded by Councilmember Carmany and adopted unanimously by voice vote of the Council.

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After Mayor Allen moved to the Consent Agenda and requested a motion to approve the resolutions listed thereon, Councilmember Burroughs-White moved adoption of the Consent Agenda. The motion was seconded by Councilmember Jones; the Consent Agenda was adopted on the following roll call vote: Ayes: Allen, Burroughs-White, Carmany, Holliday, Johnson, Jones, (Mincello) Vaughan, Perkins and Vaughan. Noes: None.

95-99 RESOLUTION AUTHORIZING THE GRANTING OF RIGHT OF WAY OF LONG VALLEY ROAD AND PLAINFIELD ROAD TO THE NCDOT SECONDARY ROAD PAVING PROGRAM TO SUPPORT THE WATER RESOURCES DEPARTMENT AND THE PARKS AND RECREATION DEPARTMENT

WHEREAS, the City is the owner of property adjoining the thirty foot rights of way of Long Valley Road and Plainfield Road;

WHEREAS, portions of Plainfield Road and Long Valley Road adjoining Lake Higgins and Lake Townsend are in need of paving, and the Water Resources Department has indicated its support of this paving project;

WHEREAS, the portion of Long Valley Road in close proximity to a walking/biking trail is in need of paving, and the Parks and Recreation Department has indicated its support of this paving project;

WHEREAS, the NCDOT Secondary Road Paving Program has proposed to pave the said thirty foot right of way at no charge;

WHEREAS, it is deemed in the best interest of the City to enter into right of way Agreements with the NCDOT for the paving of portions of Long Valley Road and Plainfield Road.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That, on behalf of the City of Greensboro, the City Council hereby approves the granting of said rights of way to the NCDOT and the Mayor and City Clerk are hereby authorized to execute the above mentioned right of way Agreements on behalf of the City.

(Signed) Claudette Burroughs-White

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99-82 RESOLUTION APPROVING EXTENSION OF CONTRACT NO. 1998-09 WITH JIMMY R. LYNCH & SONS, INC. TO ALLOW ADDITIONS TO THE WATER AND SEWER SYSTEM OF KING GEORGE DRIVE, PINWOOD DRIVE AND TO THE PINWOOD DRIVE OUTFALL

WHEREAS, ON October 6, 1998, City Council authorized Contract No. 1998-09 with Jimmy R. Lynch & Sons, Inc. to construct water and sewer outfall projects throughout the City;

WHEREAS, the contract specifications allow the City, at its option, to extend the contract amount by 50%;

WHEREAS, the City desires to extend Contract No. 1998-09 in the amount of \$181,330.47 to install water pursuant to the King George Drive and Pinewood Drive Projects; and to install sewer pursuant to the King George Drive, Pinewood Drive, and Pinewood Drive Outfall Projects;

WHEREAS, it is in the best interest of the City to extend Contract 1998-09 by 50% in order to allow said projects to be undertaken.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That the extension of Contract No. 1998-09, on behalf of the City of Greensboro to complete the described Projects is approved, payment to be made from Account No. 501-7061-01.6016 CBR 001 - \$50,700.00 and Account No. 501-7062-01.6017 CBR .012 - \$130,630.47.

(Signed) Claudette Burroughs-White

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97-99 RESOLUTION AUTHORIZING THE CONVEYANCE OF CITY OWNED LOTS IN THE SOUTHSIDE AREA LOCATED AT 322 MARTIN LUTHER KING, JR. DRIVE, 328 MARTIN LUTHER KING, JR. DRIVE, 404 GORRELL STREET, 406 GORRELL STREET, 406 GORRELL STREET REAR LOT, 408 GORRELL STREET, 429 MCADOO STREET, 435 MCADOO STREET, 441 MCADOO STREET AND 443 MCADOO STREET TO THE REDEVELOPMENT COMMISSION OF GREENSBORO

WHEREAS, the City is the owner of 10 lots in the Southside Area located at 322 Martin Luther King, Jr. Drive, 328 Martin Luther King, Jr. Drive, 404 Gorrell Street, 406 Gorrell Street, 406 Gorrell Street rear lot, 408 Gorrell Street, 429 McAdoo Street, 435 McAdoo Street, 441 McAdoo Street and 443 McAdoo Street;

WHEREAS, the Redevelopment Commission has included these properties as part of the Southside Development Plan;

WHEREAS, upon conveyance of these lots from the City, the Redevelopment Commission has agreed to transfer ownership of said land to Greensboro Housing Development Partnership in order to market the properties and select developers in accord with the Southside Area Plan;

WHEREAS, the proceeds from said sale will be returned to the Neighborhood Revitalization Bond fund established for the redevelopment of the Southside Area;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That the sale of the above mentioned property to the Greensboro Housing Development Partnership is hereby approved and the Mayor and City Clerk are hereby authorized to execute deeds on behalf of the City.

(Signed) Claudette Burroughs-White

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Mayor Allen introduced an ordinance amending in the amount of \$600,000 the operating budget for the Greensboro Transit Authority.

Council discussed with Richard Atkins, Transportation Department Director; and Larry Davis, Interim Budget and Evaluation Department Director; the purposes for which this additional funding would be used. Questioning the process used by staff to evaluate existing conditions/problems when purchasing existing facilities, Councilmember Perkins discussed with Mr. Atkins his concern that the Depot roof was already in need of repair in a relatively short timeframe after purchase.

Councilmember (Mincello) Vaughan moved adoption of the ordinance. The motion was seconded by Councilmember Burroughs-White; the ordinance was adopted on the following roll call vote: Ayes: Allen, Burroughs-White, Carmany, Holliday, Johnson, Jones, (Mincello) Vaughan, Perkins and Vaughan. Noes: None.

99-82 ORDINANCE AMENDING FY 98-99 TRANSIT FUND BUDGET

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GREENSOBORO:

That the FY 98-99 Budget of the City of Greensboro is hereby amended as follows:

That the appropriation for the Transit Fund be increased as follows:

<u>Account</u>	<u>Description</u>	<u>Amount</u>
564-4531-01.5000	Maintenance and Operations	\$600,000

and, that this increase be financed by increasing the following Transit Fund accounts:

<u>Account</u>	<u>Description</u>	<u>Amount</u>
564-0000-00.8900	Appropriated Fund Balance	\$600,000

(Signed) (Mincello) Vaughan

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Mayor Allen requested a motion to approve the FY 1999/2000 Convention and Visitors Bureau Annual Budget.

The City Manager advised Henri Fourrier, President and CEO of the Greensboro Area Convention & visitors Bureau was present in the Chamber.

After a brief explanation by the Manager, Councilmember Johnson moved that Council approve this Budget. The motion was seconded by Councilmember Carmany; the motion was approved on the following roll call vote: Ayes: Allen, Burroughs-White, Carmany, Holliday, Johnson, Jones, (Mincello)

Vaughan, Perkins and Vaughan. Noes: None. (A copy of the Greensboro/Guilford County Tourism Development Authority 1999-2000 Fiscal Year Budget is filed in Exhibit Drawer M, Exhibit Number 17, which is hereby referred to and made a part of these minutes.)

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The Manager advised that approval of Agenda Items 14-24 was necessary before Council considered adoption of the 1999-00 Annual Budget.

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After the introduction of an ordinance amending Chapter 8 of the Greensboro Code of Ordinances with respect to Cemeteries, Councilmember Burroughs-White moved its adoption. The motion was seconded by Councilmember Jones; the ordinance was adopted on the following roll call vote: Ayes: Allen, Burroughs-White, Carmany, Holliday, Johnson, Jones, (Mincello) Vaughan, Perkins and Vaughan. Noes: None.

99-83 ORDINANCE AMENDING CHAPTER 8

AN ORDINANCE AMENDING CHAPTER 8 OF THE GREENSBORO CODE OF ORDINANCES WITH RESPECT TO CEMETERIES

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

Section 1: That Section 8-3 of the Greensboro Code of Ordinances is hereby amended to read as follows:

(a) Maplewood Cemetery. The price per grave space anywhere in Maplewood Cemetery is hereby fixed at seven hundred thirty-five dollars (\$735.00) per grave space except for these areas described in subsections (d) and (e) of this section.

(b) Green Hill Cemetery. The price per grave space anywhere in Green Hill Cemetery is hereby fixed at eight hundred ten dollars (\$810.00) per grave space except for those areas described in subsections (e) of this section.

(c) Forest Lawn Cemetery. The price per grave space anywhere in Forest Lawn Cemetery except in mausoleum sections is hereby fixed at eight hundred ten dollars (\$810.00) per grave space except for those described in subsections (d) and (e) of this section. In mausoleum sections the price per lot is hereby fixed at one hundred dollars (\$100.00) per front foot.

(d) [Veterans Circle.] A grave space in Veterans Circle at Forest Lawn Cemetery or Maplewood Cemetery is hereby fixed at four hundred fifty dollars (\$450.00) per grave space for the burial of persons who have served as members of military or naval forces of the United States and who have been honorably discharged from the service of the United States.

(e) Cremation graves. The price per cremation grave space in any city cemetery is hereby fixed at three hundred fifty dollars (\$350.00) per established cremation space, except for those regular sized and priced grave sites which may contain no more than two (2) urns.

Section 2: That Section 8-4 of the Greensboro Code of Ordinances is hereby amended to read as follows:

(b) The fee for digging a grave in any of the city cemeteries when funeral services are scheduled on city holidays, Saturdays, Sundays, or times other than set forth in subsection (a) hereof is fixed at seven hundred twenty-five dollars (\$725.00) per grave for adults and four hundred fifty dollars (\$450.00) for

each child's grave. The fee for digging a grave for interring urns of ashes on city holidays, Saturdays, Sundays, or times other than set forth in subsection (a) hereof is fixed at three hundred fifty dollars (\$350.00) per grave.

Section 3: That this ordinance shall become effective on and after July 1, 1999.

Section 4: That all ordinances in conflict with the provisions of this ordinance are hereby repealed to the extent of such conflict.

(Signed) Claudette Burroughs-White

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Mayor Allen introduced an ordinance amending Chapter 25 of the Greensboro Code of Ordinances with respect to Solid Waste.

After a brief explanation, Councilmember Carmany moved adoption of the resolution. The motion was seconded by Councilmember Jones; the resolution was adopted on the following roll call vote: Ayes: Allen, Burroughs-White, Carmany, Holliday, Johnson, Jones, (Mincello) Vaughan, Perkins and Vaughan. Noes: None.

99-84 ORDINANCE AMENDING CHAPTER 25

AN ORDINANCE AMENDING CHAPTER 25 OF THE GREENSBORO CODE OF ORDINANCES WITH RESPECT TO SOLID WASTE

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

Section 1: That Section 25-21 of the Greensboro Code of Ordinances is hereby amended to read as follows:

Residential collection program. There is hereby established a monthly charge for the availability for collection services to remove and dispose of any one or all discarded wastes in any city approved and authorized container or receptacle, other than stationary containers, or other city approved collection services for public or private streets. The charge shall be three dollars and fifty cents (\$3.50) per month for each location serving a property owner or tenant. This fee shall become effective on and after January 1, 2000 and is billed in advance.

Stationary container program. There is hereby established a charge for collection of wet and dry garbage from stationary containers, said charge shall be seventy-seven dollars and thirty-five cents (\$77.35) per month for each stationary container. This fee shall become effective on and after January 1, 2000.

Section 2: That this ordinance shall become effective upon publication.

Section 3: That all ordinances in conflict with the provisions of this ordinance are hereby repealed to the extent of such conflict.

(Signed) Sandy Carmany

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After the introduction by the Mayor and a brief explanation by the City Manager, Councilmember Jones moved adoption of an ordinance amending Chapter 29 of the Greensboro Code of Ordinances with

respect to Water Resources. The motion was seconded by Councilmember Perkins; the ordinance was adopted on the following roll call vote: Ayes: Allen, Burroughs-White, Carmany, Holliday, Johnson, Jones, (Mincello) Vaughan, Perkins and Vaughan. Noes: None.

99-85 ORDINANCE AMENDING CHAPTER 29

AN ORDINANCE AMENDING CHAPTER 29 OF THE GREENSBORO CODE OF ORDINANCES WITH RESPECT TO WATER RESOURCES

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

Section 1: That Section 29-26 of the Greensboro Code of Ordinances is hereby amended to read as follows:

The charges for installing water and sewer facilities shall be as follows:

(1) Water Connections

Meter Size (in inches)	Charge
5/8 x 3/4	\$760
3/4	795
1	per cost
1 1/2	per cost
2	per cost
3	per cost
4	per cost
6	per cost
8	per cost

Charge for installing an extra meter beside an existing meter

Meter Size (in inches)	Charge
5/8 x 3/4	\$415
3/4	455
1	per cost
1 1/2	per cost
2	per cost

(2) Sewer Connections

4-inch cast iron pipe	\$720
6-inch cast iron pipe	per cost
8-inch cast iron pipe	per cost
8 inch x 4-inch saddle only	per cost
8-inch x 6-inch saddle only	per cost

(4) Installing or adjusting fire hydrants

adjust hydrant	per cost
add hydrant to main	per cost

Section 2: That Section 29-46 of the Greensboro Code of Ordinances is hereby amended to read as follows:

Generally

“.....The annual sewer charge inside the city for unmetered accounts shall be based on one hundred twenty two (122) units of sewer at the current inside rate per one hundred cubic feet of waste water discharge or a pro rata portion for the months that the service is provided. The annual sewer charge outside the city for unmetered accounts shall be based on one hundred twenty two (122) units of sewer at the current outside rate per one hundred cubic feet of waste water discharge or a pro rata portion for the months that the service is provided. “

Section 3: That this ordinance shall become effective on and after July 1, 1999.

Section 4: That all ordinances in conflict with the provisions of this ordinance are hereby repealed to the extent of such conflict.

(Signed) Earl Jones

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Mayor Allen introduced the ordinance establishing the FY 1999/2000 Annual Operating Budget for the Fiscal Year 1999/2000 property tax rate; Councilmember Holliday moved adoption of the ordinance. The motion was seconded by Councilmember Carmany; the ordinance was adopted on the following roll call vote: Ayes: Allen, Burroughs-White, Carmany, Holliday, Johnson, Jones, (Mincello) Vaughan, Perkins and Vaughan. Noes: None.

99-86 AN ORDINANCE ADOPTING THE 1999-00 ANNUAL BUDGET OF THE CITY OF GREENSBORO

Be it ordained by the City Council of the City of Greensboro that for the purpose of financing expenditures of the City of Greensboro, North Carolina, there is hereby appropriated from taxes and other revenue collectible the following funds for operation of City government and its activities for the Fiscal Year 1999-00 beginning July 1, 1999 and ending June 30, 2000.

Section 1. It is estimated that the following expenditures are necessary for current operating expenditures and debt service payments for the City of Greensboro for the Fiscal Year 1999-00, beginning July 1, 1999 and ending June 30, 2000.

General Fund

Current Operating Expense	156,074,490	
Transfer to Debt Service	<u>13,632,280</u>	\$169,706,770

Street & Sidewalk Revolving Fund

Current Operating Expense	2,308,590
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State Highway Allocation Fund (Powell Bill)

Current Operating Expense	9,255,000
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Stormwater Management Fund		
Current Operating Expense		8,998,525
Cemetery Operating Fund		
Current Operating Expense		608,190
Hotel/Motel Occupancy Tax Fund		
Current Operating Expense		3,096,030
Special Tax Districts Fund		
Current Operating Expense		31,500
Housing Partnership Revolving Fund		
Current Operating Expense		2,154,605
Debt Service Fund		
Debt Service		18,369,230
Water & Sewer Enterprise Fund		
Current Operating Expense	40,335,540	
Debt Service	<u>8,603,570</u>	48,939,110
Water & Sewer Capital Reserve Fund		
Current Operating Expense		10,000,000
War Memorial Coliseum Complex Fund		
Current Operating Expense		13,906,950
Bryan Park Enterprise Fund		
Current Operating Expense		2,220,210
Parking Meter Enterprise Fund		
Current Operating Expense		322,600
Davie Street Parking Facility Fund		
Current Operating Expense		296,520
Parking Facilities Operating Fund		
Current Operating Expense		3,096,475
Solid Waste Management System Fund		
Current Operating Expense		18,850,385
Greensboro Transit Authority Fund		
Current Operating Expense		7,569,585
Equipment Services Fund		
Current Operating Expense		13,101,760
Technical Services Fund		

Current Operating Expense	2,376,095
City/County Telecommunications Fund	
Current Operating Expense	2,006,455
Graphic Services Fund	
Current Operating Expense	816,630
Employee Insurance Fund	
Current Operating Expense	13,577,420
General Insurance Fund	
Current Operating Expense	1,782,595
Capital Leasing Fund	
Current Operating Expense	<u>11,509,000</u>
Total	\$364,900,230
Less Total Transfers and Internal Charges	<u>(74,349,030)</u>
Net Total	\$290,551,200

Section 2. It is estimated that the following revenues will be available during the Fiscal Year beginning July 1, 1999 and ending June 30, 2000 to meet the foregoing appropriations:

General Fund		
Property Tax	\$86,715,175	
Sales Tax	29,239,000	
Franchise Tax	10,529,000	
State Collected Local Revenues	8,782,000	
ABC Store Revenue	1,905,475	
Privilege License	2,894,400	
All Other	23,057,205	
Appropriated Fund Balance	<u>6,584,515</u>	\$169,706,770
Street & Sidewalk Revolving Fund		
Assessments	476,000	
Motor Vehicle License	1,598,120	
Appropriated Fund Balance	<u>234,470</u>	2,308,590
State Highway Allocation Fund (Powell Bill)		
State Grant	6,400,000	
Other Revenue	1,049,200	
Appropriated Fund Balance	<u>1,805,800</u>	9,255,000
Stormwater Management Fund		
Stormwater Utility Fees	6,016,955	
Other Revenue	460,360	
Appropriated Fund Balance	<u>2,521,210</u>	8,998,525

Cemetery Operating Fund

Lot Sales	152,920	
Cemetery Revenue	210,000	
Other Sources	80,000	
Transfer from General Fund	<u>165,270</u>	608,190

Hotel/Motel Occupancy Fund

Other Revenue	130,030	
Hotel/Motel Tax	2,435,020	
Appropriated Fund Balance	<u>530,980</u>	3,096,030

Special Tax Districts Fund

Property Taxes	<u>31,500</u>	31,500
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Housing Partnership Revolving Fund

Transfer from the General Fund	1,606,920	
Other Revenue	238,680	
Appropriated Fund Balance	<u>309,005</u>	2,154,605

Debt Service Fund

Other Revenue	4,472,340	
Transfer from the General Fund	13,182,280	
Appropriated Fund Balance	<u>714,610</u>	18,369,230

Water Resources Enterprise Fund

Water & Sewer Charges	40,971,835	
Assessments	400,000	
Other Revenue	847,000	
Capacity Use Fees	2,800,000	
Industrial Waste Control	700,000	
Appropriated Fund Balance	<u>3,220,275</u>	48,939,110

Water Resources Capital Reserve Fund

Other Revenue	500,000	
Transfer From Water & Sewer	3,300,000	
Appropriated Fund Balance	<u>6,200,000</u>	10,000,000

War Memorial Coliseum Complex Fund

Rents	1,175,945	
Parking	3,363,905	
Concessions	4,010,000	
Other Revenue	<u>5,357,100</u>	13,906,950

Bryan Park Enterprise Fund

Green Fees	978,560	
Golf Cart Rentals	533,155	
Other Revenue	<u>708,495</u>	2,220,210

Parking Meter Enterprise Fund

Parking Fees	270,100	
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Other Revenue	<u>52,500</u>	322,600
<i>Davie Street Parking Facility Fund</i>		
Parking Fees	262,100	
Other Revenue	6,500	
Appropriated Fund Balance	<u>27,920</u>	296,520
<i>Parking Facilities Operating Fund</i>		
Parking Fees	1,362,265	
Transfer From General Fund	1,223,235	
Other Revenue	44,500	
Transfer From Parking Meter Fund	171,540	
Appropriated Fund Balance	<u>294,935</u>	3,096,475
<i>Solid Waste Management System</i>		
Solid Waste Disposal Fees	4,915,000	
Transfer from General Fund	7,982,335	
Collection Fees	5,184,840	
Other Revenue	673,500	
Appropriated Fund Balance	<u>94,710</u>	18,850,385
<i>Greensboro Area Transit Authority Fund</i>		
Property Taxes	2,283,500	
Federal Grant	1,182,775	
Transportation Fares	1,025,100	
Duke Power Contribution	1,363,940	
Other Revenue	812,260	
Appropriated Fund Balance	<u>902,010</u>	7,569,585
<i>Equipment Services Fund</i>		
Automotive Services	11,954,975	
Other Revenue	731,000	
Appropriated Fund Balance	<u>415,785</u>	13,101,760
<i>Technical Services Fund</i>		
Radio Charges	2,244,715	
Other Revenue	<u>131,380</u>	2,376,095
<i>City/County Telecommunications Service Fund</i>		
Telephone Services	1,947,155	
Other Revenue	<u>59,300</u>	2,006,455
<i>Graphic Services Fund</i>		
Printing Services	<u>816,630</u>	816,630
<i>Employee Insurance Fund</i>		
Premiums	13,242,260	
Transfer from General Fund	13,200	
Other Revenue	<u>321,960</u>	13,577,420
<i>General Insurance Fund</i>		

Premiums	1,221,835	
Transfer from General Fund	250,000	
Other Revenue	303,025	
Appropriated Fund Balance	<u>7,735</u>	1,782,595
Capital Leasing Fund		
Internal Charges	6,557,000	
Capital Lease	<u>4,952,000</u>	<u>11,509,000</u>
Total		\$364,900,230
Less Total Transfers and Internal Charges		<u>(74,349,030)</u>
Net Total		\$290,551,200

Section 3. There is hereby levied the following rates of tax on each one hundred dollars (\$100.00) valuation of taxable real property and taxable tangible personal property, as listed for taxes as of January 1, 1999, for the purpose of raising the revenue from Current Year's Property Tax, as set forth in the foregoing estimates of revenue, and in order to finance the foregoing appropriations:

- | | |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------|
| a) For the payment of general operating expenses and capital expenditures of the City including the payment of principal and interest of the bonded indebtedness of the City of Greensboro | .5675 |
| b) For the payment of general operating expenses and capital expenditures associated with the improvement of transit operations within the City of Greensboro | <u>.0150</u> |
| Total | .5825 |

Such rates of tax are based on an estimated total appraised valuation of property for purposes of taxation of \$15,555,000,000 and an estimated rate of collection of ninety-eight and one-half percent (98.5%).

Section 4. There is hereby levied the following rates of tax on each one hundred dollars (\$100.00) valuation of taxable real property and taxable tangible personal property in the following special tax districts, as listed for taxes as of January 1, 1999, for the purposes as set for in the Special Historic Districts as authorized by City Council:

- | | |
|---------------------------------------------------------------------------------------------------------|-----|
| a) College Hill Historic District for improvements as stated in the Special Historic District Plan | .05 |
| b) Charles B. Aycock Historic District for improvements as stated in the Special Historic District Plan | .05 |

Such rates of tax are based on the estimated total appraised valuations in each Historic District and an estimated rate of collection of ninety-eight and one-half percent (98.5%).

Section 5. Appropriations hereinabove authorized and made for the purpose other than necessary governmental functions are hereby made from revenue collectible from miscellaneous revenues and sources other

than taxes. Appropriations authorized for Cultural Contributions and Chamber of Commerce Contributions are hereby made from revenues collectible from sources other than taxes.

Section 6. Appropriations hereinabove authorized and made for water and sewer operating fund, water and sewer current operating expense and debt service, are made from revenue collectible for the operation of the combined water and sewer systems and miscellaneous revenue.

Section 7. Appropriations hereinabove authorized and made shall have the amounts of the outstanding purchase orders and unearned portion of contracts at June 30, 1999 (rounded to the nearest five dollars) added to each appropriation as it applies in order to properly account for the payment against the fiscal year in which it is paid.

Section 8. Copies of this ordinance shall be furnished to the Budget and Evaluation Director, Finance Director and the City Clerk within five days after adoption to be kept on file by them for their direction in the disbursement of City funds.

Section 9. This ordinance shall be effective from and after the date of July 1, 1999.

(Signed) Keith A. Holliday

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After the introduction by Mayor Allen of a resolution adopting 6-year Capital Improvements Program, Councilmember Carmany moved adoption of the resolution. The motion was seconded by Councilmember Jones. After the vote was recorded, Councilmember (Mincello) Vaughan advised she had not voted as she had intended; the Council directed the Clerk to clear the board. The resolution was thereupon adopted on the following roll call vote: Ayes: Allen, Burroughs-White, Carmany, Holliday, Johnson, Jones, (Mincello) Vaughan, Perkins and Vaughan. Noes: None.

98-99 RESOLUTION ADOPTING SIX YEAR CAPITAL IMPROVEMENTS PROGRAM

WHEREAS, capital improvements programming is a comprehensive approach to improving social and physical conditions in a governmental jurisdiction by evaluation of growth and development trends;

WHEREAS, capital improvements programming serves as a basic framework for scheduling public improvements and requires the assistance of government officials and agencies, as well as community residents;

WHEREAS, a report entitled *1999-2005 Capital Improvements Program* has been prepared;

WHEREAS, after a public hearing and resulting review and discussion, the Planning Board recommends adoption of the *1999-2005 Capital Improvements Program*;

WHEREAS, the report provides a comprehensive listing of needed public improvements and related financial resources, indicates estimated future revenues and operating expenditures, illustrates the importance of relating the City's comprehensive plans to its fiscal capability and provides recommendations for scheduling each public improvement project, while estimating planning, design and development costs

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

1. That the City Council recognizes the capital improvements programming process as the translation of community goals and objectives into needed physical facilities which are essential to residential, business, institutional and leisure activities, and

2. That the City Council does hereby adopt the report entitled *Capital Improvements Program 1999-05*. Following is an expense summary by service category and related financing as is included in the FY 99-05 Capital Improvements Program:

Expenditures

Public Safety	\$26,218,525
Transportation	101,813,800
Economic and Community Development	57,197,000
Environmental Protection	155,965,815
Culture and Recreation	44,068,530
General Government	<u>12,022,840</u>
Total	\$397,286,510

(Signed) Sandy Carmany

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Councilmember Perkins expressed concern with respect to the need for repairs for the War Memorial Auditorium and requested the Manager to study the facility's status and bring to Council cost information for necessary repairs. The City Manager advised the process was underway to determine the needed repairs and enhancements for that facility; he stated a specific proposal detailing staff recommendations and payment options for consideration by Council would be forthcoming this summer. He added that the recommendations could also address the acquisition of the Brown property for parking and payment options available.

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After the introduction by Mayor Allen of an ordinance establishing in the amount of \$930,914 the FY 1999/2000 Grant Project Budget for Greensboro/High Point/Guilford County/Job Training Consortium, Councilmember Burroughs-White moved adoption of the ordinance. The motion was seconded by Councilmember Holliday; the ordinance was adopted on the following roll call vote: Ayes: Allen, Burroughs-White, Carmany, Holliday, Johnson, Jones, (Mincello) Vaughan, Perkins and Vaughan. Noes: None.

99-87 ORDINANCE ESTABLISHING THE FY 99-00 GRANT PROJECT BUDGET
GREENSBORO/HIGH POINT/GUILFORD COUNTY JOB TRAINING CONSORTIUM

WHEREAS, the Local Government Budget and Fiscal Control Act, as amended, provides for grant project budgeting pursuant to G.S. 159-13.2 as an alternative to annual budgeting of grant projects;

AND WHEREAS, in order to alleviate the requirements to re-adopt appropriations from fiscal year to fiscal year and to permit the use of continuing appropriations of the 1999-00 Job Training Partnership Act Grant and to properly account for such usage, it is deemed in the best interest of the City of Greensboro to establish, by ordinance, a special grant project for the 1999-00 Job Training Partnership Act Grant with revenues and expenditures being specifically defined as is shown below:

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

1. That the grant project budget for the 1999-00 Job Training Partnership Act Grant be established and appropriated for the life of the project as follows:

<u>Description</u>	<u>Estimated Expenditures</u>	<u>Estimated Revenues</u>
Title II-A Adult Program	\$313,122	
Title II-C Youth Program	44,202	
Title III Dislocated Worker Program	341,419	
NC Employment & Training Grant	82,591	
Program Administration	149,580	
Federal & State Grants	_____	<u>\$930,914</u>
TOTAL	\$930,914	\$930,914

2. AND THAT, the expense and revenue estimates here-in-above authorized and made for the 1999-00 Job Training Partnership Act Project shall be documented and recorded by line item within the accounting system of the City of Greensboro so as to provide a foundation for the proper recording of actual revenue and expenditures and shall be duly filed with the City Clerk of the City of Greensboro.

(Signed) Claudette Burroughs-White

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After the introduction by Mayor Allen of an ordinance establishing in the amount of \$2,560,750 the FY 1999/2000 Grant Project Budget for Community Development Block Grant, Councilmember Jones moved adoption of the ordinance. The motion was seconded by Councilmember Johnson; the ordinance was adopted on the following roll call vote: Ayes: Allen, Burroughs-White, Carmany, Holliday, Johnson, Jones, (Mincello) Vaughan, Perkins and Vaughan. Noes: None.

99-88 ORDINANCE ESTABLISHING GRANT PROJECT BUDGET FOR COMMUNITY DEVELOPMENT BLOCK GRANT 1999/00

WHEREAS, the Local Government Budget and Fiscal Control Act, as amended, provides for grant project budgeting pursuant to G.S. 159-13.2 as an alternative to annual budgeting of grant projects;

AND WHEREAS, in order to alleviate the requirements to re-adopt appropriations from fiscal year to fiscal year, and to permit the use of continuing appropriations to account for Community Development Block Grant 1999/00, it is deemed in the best interest of the City to establish a special grant project ordinance for Community Development Block Grant 1999/00, with the revenues and expenditures being established as shown below:

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

1. That the grant project budget for Community Development Block Grant 1999/00 be established and appropriated for the life of the project as follows:

Description	Estimated Expenditures	Estimated Revenues
CDBG Administration & Planning	\$459,400	
Fair Housing Administration	21,000	
M/WBE Training	10,000	
Arlington Park Target Area	50,000	
Asheboro Target Area	500,000	
Benjamin Benson Target Area	25,000	
Eastside Park Target Area	205,000	
Rosewood Target Area	30,000	
Citywide Repair	622,845	
Section 108 Loan Guarantee Payment	365,905	
Emergency Shelter Assistance	26,000	
Gate City CDC's Partners in Business	80,000	
Greensboro Women's Club	5,000	
Magnolia House Motel, Inc.	60,600	
Ole Asheboro Neighborhood Community Resource Center	50,000	
Southeast Economic Development	<u>50,000</u>	
Total	\$2,560,750	
Governmental Grant		\$1,965,000
Program Income		550,000
Reprogrammed Funds		<u>45,750</u>
Total		\$2,560,750

(Signed) Earl Jones

.....

After the introduction by Mayor Allen of an ordinance establishing in the amount of \$1,768,000 the FY 1999/2000 Home Program Grant Project Budget for the Greensboro/Guilford/High Point/Burlington/Alamance Housing Consortium, Councilmember Vaughan moved adoption of the ordinance. The motion was seconded by Councilmember Jones; the ordinance was adopted on the following roll call vote: Ayes: Allen, Burroughs-White, Carmany, Holliday, Johnson, Jones, (Mincello) Vaughan, Perkins and Vaughan. Noes: None.

99-89 ORDINANCE ESTABLISHING THE FY 99-00 HOME PROGRAM GRANT PROJECT BUDGET FOR THE GREENSBORO/GUILFORD/HIGH POINT/BURLINGTON/ALAMANCE HOUSING CONSORTIUM

WHEREAS, the Cranston-Gonzalez National Affordable Housing Act of 1990, authorizes contiguous units of local government to form consortia in order to receive HOME funding as one jurisdiction;

AND WHEREAS, the City of Greensboro, the City of High Point and Guilford County formed a HOME Consortium and subsequently added the City of Burlington and Alamance County;

AND WHEREAS, State Statutes require pre-authorization of the expenditure of Federal Grant Funds by the Governing Body having jurisdiction over and responsibility for said funds;

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

1. That the Grant Project Budget for the HOME Program Grant 1999/00 be established and appropriated for the life of the project as follows:

<u>Description</u>	<u>Estimated Expenditures</u>	<u>Estimated Revenues</u>
<u>Greensboro</u>		
Hope VI Multifamily Housing Development	\$385,000	
Citywide Housing Repair Program	162,730	
Non-Profit Single Family Housing Development	279,694	
Administration	<u>91,936</u>	
Total Greensboro	\$919,360	
<u>Guilford County</u>		
West Macedonia Affordable Housing Development	\$127,296	
Administration	<u>14,144</u>	
Total Guilford County	\$141,440	
<u>High Point</u>		
Downpayment & Closing Cost Assistance	\$145,810	
CHDO Activities	63,650	
West Macedonia Affordable Housing Dev.	200,000	
Administration	<u>14,860</u>	
Total High Point	\$424,320	

(Signed) Donald R. Vaughan

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Mayor Allen introduced an ordinance establishing in the amount of \$675,000 the FY 1999/2000 Capital Project Budget for Street and Sidewalks Capital Projects Fund; Councilmember (Mincello) Vaughan moved adoption of the ordinance. The motion was seconded by Councilmember Jones; the ordinance was adopted on the following roll call vote: Ayes: Allen, Burroughs-White, Carmany, Holliday, Johnson, Jones, (Mincello) Vaughan, Perkins and Vaughan. Noes: None.

99-90 ORDINANCE ESTABLISHING CAPITAL PROJECT BUDGET FOR FY 99-00 STREET AND SIDEWALK CAPITAL PROJECTS FUND

WHEREAS, the Local Government Budget and Fiscal Control Act provides for capital project budgeting pursuant to G.S. 159-13.2 as an alternative to annual budgeting of capital projects;

AND WHEREAS, in order to alleviate the requirements to re-adopt appropriations from fiscal year to fiscal year, it is deemed in the best interest of the City to establish a special capital project ordinance for Street and Sidewalk Capital Projects to be undertaken in FY 99-00;

AND WHEREAS, the revenues and expenditures shown below are being established for these capital projects;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That the following capital project budgets for Street and Sidewalk Projects be established and appropriations for the life of the projects will be as follows:

<u>Account Number</u>	<u>Description</u>	<u>Estimated Expenditures</u>	<u>Estimated Revenues</u>
401-6001-01.6014(003)	Street Construction	\$350,000	
401-6001-01.6012(002)	Land Right-of Way	100,000	
401-6001-01.9201	Transfer From Street and Sidewalk Fund		\$450,000
401-6002-01.6015(002)	Sidewalk Construction	150,000	
401-6002-01.9201	Transfer From Street and Sidewalk Fund		150,000
401-6003-01.6019 (002)	Other Improvements	75,000	
401-6003.01.9201	Transfer From Street and Sidewalk Fund	<u> </u>	<u>75,000</u>
	Total	\$675,000	\$675,000

(Signed) Nancy (Mincello) Vaughan

.....

After the introduction by Mayor Allen of an ordinance establishing in the amount of \$3,575,000 the FY 1999/2000 Capital Project Budget for FY State Highway Allocation Capital Projects Fund, Councilmember Carmany moved adoption of the ordinance. The motion was seconded by Councilmember Jones; the ordinance was adopted on the following roll call vote: Ayes: Allen, Burroughs-White, Carmany, Holliday, Johnson, Jones, (Mincello) Vaughan, Perkins and Vaughan. Noes: None.

99-91 ORDINANCE ESTABLISHING CAPITAL PROJECT BUDGET FOR FY 99-00 STATE HIGHWAY ALLOCATION CAPITAL PROJECTS FUND

WHEREAS, the Local Government Budget and Fiscal Control Act provides for capital project budgeting pursuant to G.S. 159-13.2 as an alternative to annual budgeting of capital projects;

AND WHEREAS, in order to alleviate the requirements to re-adopt appropriations from fiscal year to fiscal year, it is deemed in the best interest of the City to establish a special capital project ordinance for State Highway Allocation Capital Projects to be undertaken in FY 99-00;

AND WHEREAS, the revenues and expenditures show below are being established for these capital projects;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

1. That the following capital project budgets for State Highway Allocation Projects be established and appropriations for the life of the projects will be as follows:

<u>Account Number</u>	<u>Description</u>	<u>Estimated Expenditures</u>	<u>Estimated Revenues</u>
402-4531-01.6012(007)	Land Right-of-Way	\$400,000	
402-4531-01.6014(008)	Street Construction	1,600,000	
402-4531-01.9202	Transfer From State Highway Allocation Fund		\$2,000,000
402-6001-01.6012(001)	Land Right-of-Way	150,000	
402-6001-01.6014(004)	Street Construction	750,000	
402-6001-01.9202	Transfer From State Highway Allocation Fund		900,000
402-6002-01.6015 (001)	Sidewalk Construction	600,000	
402-6002.01.9202	Transfer From State Highway Allocation Fund		600,000
402-6003-01.6019(002)	Other Improvements	75,000	
402-6003-01.9202	Transfer From State Highway Allocation Fund	<u> </u>	<u>75,000</u>
	Total	\$3,575,000	\$3,575,000

(Signed) Sandy Carmany

.....

Mayor Allen introduced an ordinance establishing in the amount of \$1,147,500 the FY 1999/2000 Capital Project Budget for General Fund Capital Projects Fund; Councilmember Holliday moved adoption of the ordinance. The motion was seconded by Councilmember Jones; the ordinance was adopted on the following roll call vote: Ayes: Allen, Burroughs-White, Carmany, Holliday, Johnson, Jones, (Mincello) Vaughan, Perkins and Vaughan. Noes: None.

99-92 ORDINANCE ESTABLISHING CAPITAL PROJECT BUDGET FOR FY 99-00 GENERAL FUND CAPITAL PROJECTS FUND

WHEREAS, the Local Government Budget and Fiscal Control Act provides for capital project budgeting pursuant to G.S. 159-13.2 as an alternative to annual budgeting of capital projects;

AND WHEREAS, in order to alleviate the requirements to re-adopt appropriations from fiscal year to fiscal year, it is deemed in the best interest of the City to establish a special capital project ordinance for General Fund Capital Projects to be undertaken in FY 99-00;

AND WHEREAS, the revenues and expenditures shown below are being established for these capital projects;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That the following capital project budgets for General Capital Projects be established and appropriations for the life of the projects will be as follows:

<u>Account Number</u>	<u>Description</u>	<u>Estimated Expenditures</u>	<u>Estimated Revenues</u>
410-5001-01.6011	Land	\$210,000	
410-5001-01.6019	Other Improvements	87,500	
410-5019-05.6013	Buildings	100,000	
410-2001-01.6019	Other Improvements	100,000	
410-2506-02.6019	Other Improvements	650,000	
410-0000-00..9101	Transfer From General Fund	_____	<u>\$1,147,500</u>
Total		\$1,147,500	\$1,147,500

(Signed) Keith A. Holliday

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After Mayor Allen introduced an ordinance establishing in the amount of \$443,762 the FY 1999-2000 Annual Budget for Greensboro/High Point/Guilford County Job Training Consortium Summer Program, Councilmember Jones moved adoption of the ordinance. The motion was seconded by Councilmember Carmany; the ordinance was adopted on the following roll call vote: Ayes: Allen, Burroughs-White, Carmany, Holliday, Johnson, Jones, (Mincello) Vaughan, Perkins and Vaughan. Noes: None.

99-93 ORDINANCE ESTABLISHING THE FY 99-00 PROJECT BUDGET
GREENSBORO/HIGH POINT/GUILFORD COUNTY JOB TRAINING CONSORTIUM
SUMMER PROGRAM

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That the FY 99-00 project appropriation for Training & Employment Services' Summer Program be established as follows:

<u>Account</u>	<u>Description</u>	<u>Amount</u>
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215-0205-92.4140	Roster Wages	\$377,198
215-0299-40.4110	Salaries & Wages	<u>66,564</u>
		\$443,762

and, that this be financed by increasing the following Training & Employment accounts:

<u>Account</u>	<u>Description</u>	<u>Amount</u>
215-0205-90.7100	Federal Grants	\$443,762

(Signed) Earl Jones

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Mayor Allen introduced a resolution approving bid in the amount of \$2,358,998 and authorizing execution of contract No. 1999-09 with Jimmy R. Lynch & sons, Inc. for the Battleground Feeder Main Water Improvements-Phase 2 Project.

The City Manager briefly explained that because of the location of the water line in the middle of Pisgah Church Road, it was anticipated that the project's construction would create traffic problems and disrupt the normal flow of traffic in the area.

After brief discussion, Councilmember Vaughan moved adoption of the resolution. The motion was seconded by Councilmember Johnson; the resolution was adopted on the following roll call vote: Ayes: Allen, Burroughs-White, Carmany, Holliday, Johnson, Jones, (Mincello) Vaughan, Perkins and Vaughan. Noes: None.

99-99 RESOLUTION APPROVING BID AND AUTHORIZING EXECUTION OF CONTRACT NO. 1999-09 WITH JIMMY R. LYNCH & SONS, INC. FOR BATTLEGROUND FEEDER MAIN WATER IMPROVEMENTS – PHASE 2

WHEREAS, after due notice, bids have been received for the Battleground Feeder Main Water Improvements – Phase 2;

WHEREAS, Jimmy R. Lynch & Sons, Inc., a responsible bidder, has submitted the low base and alternate bid in the total amount of \$2,358,998.00 as general contractor for Contract No. 1999-09, which bid, in the opinion of the City Council, is the best bid from the standpoint of the City;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That the bid hereinabove described, submitted by Jimmy R. Lynch & Sons, Inc., is hereby accepted, and the Mayor and City Clerk are authorized to execute on behalf of the City of Greensboro a proper contract to carry the proposal into effect, payment to be made from Account No. 508-7005-01-6019 CBR 001.

(Signed) Donald R. Vaughan

(A tabulation of bids for the Battleground Feeder Main Water Improvements-Phase 2 Project is filed with the above resolution and is hereby referred to and made a part of these minutes.)

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Bob Hisomoto, leader of Boy Scout Troop 302, spoke to the studies of the group and requested information about the political party affiliation of the members of Council.

The Mayor advised that Greensboro's municipal election was non-partisan and was not a factor in the electoral process. She advised that Council could address this and other questions from the Troop outside the City Council meeting.

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Councilmember (Mincello) Vaughan added the name of Alyson Best to the boards and commissions data bank for consideration for future service in no specific area.

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Councilmember Perkins spoke to the recent retirement of Bob Sawyer from Grimsley High School; he spoke to Mr. Sawyer's contributions to Greensboro through his service on the Parks and Recreation Commission, the City's swim facilities and other areas. Councilmember Perkins extended to Mr. Sawyer the Council's best wishes for a most successful and productive retirement. Councilmember Holliday echoed the best wishes and spoke to the role model Mr. Sawyer had provided for Greensboro's youth.

Councilmember Perkins spoke to the attendance by Greensboro police officers at a recent neighborhood meeting at St. Pius Church when Police chief Robert White addressed citizens with regard to crime. He commended the officers for their dedication by attending the meeting while off-duty; he stated he believed this would serve to enhance the Chief's efforts to ensure that the Greensboro Police Department continued to be on of the best.

Councilmember Burroughs-White added that this type of Police participation was a common occurrence in Greensboro; she also expressed appreciation for the dedication to community issues of Greensboro police officers.

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Councilmember Burroughs-White moved that Warren Campbell be appointed to serve a term on the Historic Preservation Commission; this term will expire 15 August 00. The motion was seconded by Councilmember Jones and adopted unanimously by voice vote of the Council.

After the Mayor wished her a safe trip, Councilmember Burroughs-White spoke to the upcoming interfaith mission and participants.

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Councilmember Holliday offered best wishes for Captain and Mrs. Eddie Hobgood with the Salvation Army as they moved to Texas to continue their service. He advised the Mayor had issued a Certificate of Appreciation to the Hobgoods for their significant contributions to Greensboro.

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Councilmember Vaughan stated that the ground rules for Council sessions and meetings printed on the back of each Greensboro City Council Agenda which had been approved some time ago by a former Council had become been outdated and unnecessary. Speaking to the cooperative environment which he

believed existed among the current Council, he suggested that these rules be removed. After brief discussion, it appeared to be the consensus of Council that these rules should be removed from the Agenda form.

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Advising that the Mayor and Councilmember Burroughs-White had joined her in attending a meeting with the County Manager and Commissioners with regard to the "Freedom Ride '99" that would travel through Greensboro, Councilmember Johnson requested Council to partner in providing lunch for the 350 young participants. After no opposition was expressed by Council, the City Manager advised the City could participate in a like amount of \$3,000 provided by the County from funds available in the miscellaneous account. After there appeared to be a consensus of Council that the City should participate, the Mayor directed the Manager to provide these funds for lunch for participants.

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Bulent Bediz, residing at 808 Lexington Avenue, expressed concern with respect to the denial of one of his petitions by the Board of Adjustment when only four of the seven board members were present. He stated that, in his opinion, the meeting was unfair to petitioners and expressed concern that there were no valid options available to him. Mr. Bediz spoke to the timely and costly avenues of appeal for requests denied by the Board of Appeal.

Eileen Lane, 2101 Briarwood Drive, also spoke to the unfairness of having fewer than seven members present on this judiciary board to consider citizens' petitions; she expressed particular concern with respect to the May 24, 1999, meeting when only four members were present, and her petition was not approved. She offered suggestions for Council action which would ensure that seven members of the board would be present for all hearings.

Council discussed with the City Attorney and Mr. Martin various opinions and concerns with respect to the Board of Adjustment; i.e., the options that were/could be available to Mr. Bediz and Ms. Lane, actions that could be taken procedurally to address cases scheduled to be heard by this Board when only four members of the Board were present, the concern with lack of attendance by not only this Board but board/commission members in general, the need to fill the existing vacancy on the Board, the fact that poor attendance had impeded the process for citizens, the possible use of alternative board members on various boards/commissions, the overall attendance record of this Board, etc. Council also discussed the feasibility of waiving the \$100 filing fee if the Board of Adjustment granted a rehearing for the above citizens' requests.

The City Attorney spoke to the hard work and excellent attendance record of the Board of Adjustment members. She explained the legal process by which an item presented to this Board could be continued or reheard if the citizens presented newly-discovered information. The City Attorney also explained that the Council had no legal authority with respect to this quasijudicial board because North Carolina State law required them to follow specific guidelines; she added that State requirements were more stringent than the ones used in Greensboro. She reminded Council that the citizens who appeared before this Board were asking not to follow rules other Greensboro citizens were required to follow.

Mr. Martin also requested that the Council consider filling the vacant position on this Board as soon as possible.

After further discussion, the City Attorney advised staff would present recommendations for Council action with regard to procedural changes that could legally be made by Council to address those rare occasions when only four members of the Board were present at a meeting. Council also instructed the

City Attorney and Mr. Martin to meet with the above speakers to determine if they could provide any legal assistance in preparing to request a rehearing by the Board of Adjustment.

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Wileena Cannon, residing at 821 Holt Avenue, advised that members of the Pulpit Forum had planned to attend this meeting to present a proposal with respect to the Howerton case but were not in the Chamber at this time. After Ms. Cannon requested that this matter be placed on the next Council meeting agenda for discussion, the City Attorney advised this presentation should appropriately be made at the Speakers from the Floor portion of the June 15 Council meeting at the end of the meeting.

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Mayor Allen stated Fire Station 12 employees had been commended by the President of Appletree Homeowners Association for their outstanding program on fire safety. She added that their work with children was most effective.

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The City Manager stated that in order to expedite the construction of the water line to Reidsville, he would request Council to schedule a special Council meeting to approve the bid for construction of a portion of that line which would move the process forward by two weeks; he stated that this would be the only item discussed at the meeting. After discussion, it appeared to be the consensus of Council that a Special Meeting would be scheduled at 5:00 p.m. on Thursday, June 24, 1999, in the Council Chambers of the Melvin Municipal Office Building.

The Manager recognized Don and Nancy (Mincello) Vaughan as the first married couple to serve on the City Council at the same time. After the Manager presented the couple with a gift basket, the members of Council offered congratulations and participated in the traditional throwing of rice at the newlyweds.

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At the request of the City Manager, Councilmember Johnson moved that the City Council adjourn to Closed Session for the purpose of discussing acquisition of real estate. The motion was seconded by Councilmember Burroughs-White and adopted unanimously by voice vote of the Council.

THE CITY COUNCIL ADJOURNED TO CLOSED SESSION AT 7:50 P.M.

JUANITA F. COOPER
CITY CLERK

CAROLYN S. ALLEN
MAYOR
